

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

2012 APR -3 PM 12:09

MONACO ENTERTAINMENT
GROUP, LLC AND DAVID COOPER,
Plaintiffs,

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CLERK, US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY [Signature]
DEPUTY

EP-11-CV-561-DB

v.

CITY OF EL PASO *et al.*,
Defendants.

ORDER

Before the Court are Defendant Mark Benitez’s motions to dismiss [ECF Nos. 25 & 38],¹ Defendants John Billingslea and Irene Borunda’s motion to dismiss [ECF No. 27] and Defendant Cielo Vista Neighborhood Association’s motion to dismiss [ECF No. 41]. Also before the Court are Plaintiffs Monaco Entertainment Group, LLC and David Cooper’s various responses to Defendants’ Motions. Having considered the Parties’ arguments, the Court finds that Plaintiffs’ claims are frivolous, without merit, and made only to stifle opposition and to quiet the neighborhood.

Therefore, the Court finds that the instant Motions should be granted; a memorandum opinion and order will be forthcoming. Finally, the Court will give strong consideration to any motions for attorneys’ fees the Parties may file.

Accordingly, **IT IS HEREBY ORDERED** that Defendant Mark Benitez’s motions to dismiss [ECF Nos. 25 & 38] are **GRANTED**.

¹ “ECF No.” in this context refers to the Electronic Case Filing number for documents filed in the instant cause.

IT IS FURTHER ORDERED that Defendants John Billingslea and Irene Borunda's motion to dismiss [ECF No. 27] is **GRANTED**.

IT IS FINALLY ORDERED that Defendant Cielo Vista Neighborhood Association's motion to dismiss [ECF No. 41] is **GRANTED**.

SIGNED this 3rd day of April 2012.



THE HONORABLE DAVID BRIONES
SENIOR UNITED STATES DISTRICT JUDGE